

CAPITOL ZONING DISTRICT COMMISSION
STAFF REPORT
3/29/17
BIM



Location: 305 West Thirteenth Street
Applicant: Todd Raney
Permit Types: Certificate of Appropriateness / Variance

Project Description: This application is for a Certificate of Appropriateness to construct a new single-family home that will incorporate and re-use the existing site feature often called “the Ruins”. The current site feature consists of brick walls on a concrete block foundation. The design of the proposed new structure draws inspiration from the original plans for a Mediterranean / Spanish Revival structure at this property. It features a brick and stucco façade on a stucco foundation, a composition shingle roof with both hipped and gabled sections, and an attached rear garage, accessible from the alley. Simulated divided-light windows comprised of Fibrex (a wood-based composite material), in single-hung, casement, and fixed configurations, will be surrounded by brick trim. A slightly recessed entry on the north (13th Street) side serves as a front porch. Though mostly a one-story structure, the plan calls for an open courtyard in the center of the house, and a tower / cupola feature at the northwest corner. In addition to the design of the proposed house, this application also represents a request for a Variance of the required front and side yard setbacks.

Historic Significance: The two lots at the southwest corner of 13th and Center were originally developed with a small house on each parcel, seen on the 1897 Sanborn map. By 1913, though, these early houses had been replaced with the two larger structures (now duplexes) still seen today at 1300 and 1304 Center Street, and a third house to the rear in roughly the same location as the feature now proposed for redevelopment. Though widely known as the “Ruin” or “Ruins”, the masonry site feature seen today at 305 West 13th is actually an uncompleted building. Agency records indicate it was designed as a Mediterranean-style apartment structure, and Sanborn maps show that the project had begun by 1939, but why construction was discontinued remains unknown. The property is in the Governor’s Mansion Historic District, though its contributing status is undetermined. The current owner acquired the property in April 2016.

Previous Action: The Commission issued a permit to the previous owner in late 2015 to allow for demolition of the “Ruins”. Under this permit, the current owner has conducted limited demolition on some portions of the interior and rear walls, as well as the removal of some metal ceiling trusses. (The current owner has also obtained a franchise permit from the City of Little Rock to allow for roof overhangs and utility meters to extend up to 18” into the public right of way.)

Zoning: This property is in Zone “M”. This residential zone comprises most of the Mansion Area.

Review Standards for Non-Conforming Uses of Land and Structures:

Capitol Zoning District Commission Rule, Section 2-108. A. Purpose

The purpose of this section is to establish regulations and limitations on the existence of uses and structures which were established prior to the effective date of this Rule and which do not conform to the provisions of this Rule. Such non-conformities may continue, but the provisions of this section are designed to curtail enlargement or expansions of such non-conformities and to encourage their eventual elimination, in order to preserve the integrity of the Capitol Zoning District and the regulations established by this Rule.

Capitol Zoning District Commission Rule, Section 2-108. C.4. Structural Alterations

A non-conforming building shall be structurally added to, reconstructed or extended only under the following conditions ...

Staff believes the current state of the property represents neither a non-conforming use nor structure. Staff believes the "Ruins", lacking both a roof and finished walls, is a site feature and need not be construed as a "structure" or "building". Moreover, the property does not appear to have been put to any active or specific use for nearly a century, and need not be construed as a non-conforming use of land. Staff therefore believes the requirements for non-conforming uses and structures are inapplicable in this case.

Review Standards for Certificates of Appropriateness:

Capitol Zoning District Commission Rule, Section 2-105. C. 1. (b)A Certificate of Appropriateness shall ... be required for the erection of any new structure ... Applications for new construction requiring Commission approval will first be scheduled for a review by the Design Review Committee which will make a recommendation regarding proposed work's appropriateness in historical style in the context of adjoining or neighboring structures; and its consistency with the goals of the Commission's Master Plan and Standards.

Staff finds the proposal constitutes a request to erect a new structure and requires a Certificate of Appropriateness that must be reviewed by the Design Review Committee and approved by the Commission.

Capitol Zoning District Commission Rule, Section 2-105. C. 1. (e) When considering an application for a Certificate of Appropriateness, the Commission shall consider any applicable review Standards and Master Plan goals, the recommendations offered by the committees and staff, as well as any public testimony or evidence presented at the public hearing.

Capitol Zoning District Commission Rule, Section 2-105. F. ... All changes in the Capitol Zoning District will be evaluated according to the General Standards and the applicable Area Framework Plan ... new construction, shall be evaluated according to the applicable Design Standards. The Commission shall consider the staff report along with other evidence presented at the hearing. The Commission shall not be bound by the recommendations of the report. ... The Commission may issue the permit(s) if it finds the proposal to be substantially consistent with the Master Plan. In reviewing the application, the Commissioners shall consider the application and base their decision upon the report of the Staff, the recommendations of the Design Review Committee, advice from Advisory Committees, impact of the proposal on the property, neighboring properties, the District as a whole, and the goals of the Master Plan and the evidence or testimony presented by the Applicants and other interested parties at the public hearing.

Staff finds the proposal should be evaluated using the General Standards, the Mansion Area Design Standards, and the Mansion Area Master Plan.

Capitol Zoning General Standards, Definitions

Setback ... The Commission, with review, may reduce a required setback by 25% in cases where a lot is smaller than what is typical for the Area, is not accessible from an alley, or is otherwise irregular due to its shape or platting.

A typical Mansion Area lot is 50' wide x 150' or 140' deep. Sometimes double lots are 100' wide and "lot-and-a-halves" are 75' wide; and these configurations could also be considered typical for the neighborhood. The parcel in question, however, is 72' wide by 100' deep. Staff finds this wide, but shallow, configuration qualifies this lot as "irregular due to its shape or platting" and believes the Commission may exercise its discretion to reduce the required setbacks by 25%.

Capitol Zoning General Standards, Zoning Requirements for the Capitol Zoning District

Zone "M"

Minimum front yard setback = 25 feet, landscaped, no parking (or 15' if historic precedent exists on the block)

Staff finds that there is historic precedent for smaller front yard setbacks on this block. (Indeed, this property is the precedent.) However, even when the 15' minimum is reduced by the 25% allowance for irregular lots, the resulting 11¼ feet is still greater than the proposed front yard setback of zero. This proposal therefore represents a request for a Variance of the front yard setback.

Minimum rear yard setback = 25 feet

Staff finds that the proposed 24¼' backyard can be accommodated by the 25% allowance for irregular lots. This request requires Commission review, but does not rise to the level of a Variance.

Minimum side yard setback = 10% of lot's average width, but never less than 5 feet from an adjoining property

The 72' wide lot would normally call for a setback on either side of just over seven feet. However, even when this is reduced by the 25% allowance for irregular lots, it would still require a setback of roughly 5½ feet. The proposal to build to the east and west lot lines therefore represents a request for a Variance of both side yard setbacks.

Maximum floor-to-area ratio = 1.1 : 1.0

This irregular parcel is only 72' x 100' for a total lot area of 7,200sf. The proposed building's first floor area is 4,329sf and the second floor is 260sf. Even when one considers the 637sf courtyard and 260sf attic space at the top of the tower feature, the total floor area is 5,486sf, yielding a F.A.R. of roughly 0.76:1, well below the allowed 1.1:1.

Maximum building height = Lesser of 2.5 stories or 35 feet

The peak of the roof on the tower feature at the northwest corner of the proposed structure is approximately 34½' high. Staff believes the design of the unfinished attic at the top of the tower feature sufficiently distinguishes it as non-living space, and does not need to be construed as a third story. Staff therefore finds the proposal is consistent with this requirement.

Mansion Area Design Standards, Design Standards for New Construction

Policy: Creative new construction that is compatible with the historic character of the neighborhood is strongly encouraged. New buildings need not imitate older styles, and designs that contrast with the existing context simply for the sake of being different are discouraged.

Staff finds the proposal is generally consistent with this policy. Staff believes that the proposed design, while inspired by the original drawings for this site, need not be construed as an imitation style.

M1. Respect historic development patterns.

- Site a new building such that it is arranged on its site in a way similar to historic buildings in the area. This includes consideration of building setbacks and open space.

M3. Locate a new building within the range of setbacks seen traditionally in the block.

- These include front, side, and rear yard setbacks.
- In some areas, setbacks vary but generally fall within an established range. A greater variety in setbacks is appropriate in this context.

M4. Provide a front yard similar in depth to neighboring properties.

M5. Minimize the amount of hard surface paving for patios, terraces and driveways.

- A grass lawn should be the dominant material of a front yard.

M7. Provide a progression of public-to-private spaces when planning a new structure.

- This includes a sequence of experiences, beginning with the "public" sidewalk, proceeding to a "semipublic" walkway, to a "semiprivate" porch or entry feature and ending in the "private" spaces beyond.
- Provide a walkway running perpendicular from the street to the front entry.

Staff finds the proposal is NOT consistent with these standards. The applicant is requesting a Variance for the proposed building's siting and setbacks. And while the plan does call for a small front porch, the proposal to build to the sidewalk does not allow for the inclusion of a front lawn or walkway.

M2. Maintain the traditional character of alleys.

- Maintain the traditional character and scale of an alley by locating buildings and fences along the alley edges to maintain the narrow width.

M6. If it is to be used, a fence should be in character with those seen historically.

- Privacy fences may be used in back yards and along alleys.

Staff finds the proposal is consistent with these standards.

M8. Orient the front of a primary structure to the street.

- The building should be positioned parallel to the lot lines, maintaining the traditional grid pattern of the block.

M9. Orient the primary entry of a building to the street.

M10. Clearly define the primary entrance by using a front porch.

- The front porch should be "functional" in that it is used as a means of access to the entry.

M11. Construct a new building to appear similar in mass and scale to single-family residences seen historically.

- Provide a porch that is similar to those seen traditionally.

M13. The primary plane of the front should not appear taller than those of typical historic structures in the neighborhood.

- No building may exceed two and one-half stories in height.

M14. Design a new building to appear similar in width to that of nearby single-family structures

- If a building would be wider overall than structures seen historically, the facade should be divided into subordinate planes that are similar in width to those of the historic context.

M15. Use building forms that are similar to those seen traditionally.

- Simple rectangular solids are appropriate.
- Exotic building and roof forms that would detract from the visual continuity of the street are discouraged.

M16. Use roof forms that appear similar to those seen traditionally.

- Sloping roofs such as gable and hip forms are appropriate. The pitch should be similar to those of historic buildings in the area.
- The primary ridge line of a residential roof should not exceed the historic maximum for the block.
- Eave depths should be similar to those seen traditionally in the neighborhood.

M17. Roof materials should appear similar in character to those used historically.

- The material should appear similar in scale and finish to those used traditionally. It should be of earth tones and have a matte, non-reflective finish.
- Composition shingles are appropriate ...

M18. Use a ratio of solid-to-void (wall-to-window) that is similar to that found on historic structures in the area.

M19. Use building materials that appear similar to those used traditionally.

- Brick should have a modular dimension similar to that used traditionally.
- Stucco may be considered as a secondary material, for foundations and subordinate wings.

M20. New materials that are similar in character to traditional ones may be considered.

M21. Use building materials that contribute to the traditional sense of scale of the block.

- This will reinforce the sense of visual continuity in the district.
- Brick units that are similar in size to those used traditionally, for example, help to establish a sense of scale.

M22. If they are to be used, ornamental elements should to be in scale with similar historic features.

M23. The imitation of older historic styles is discouraged.

- One should not replicate historic styles because this blurs the distinction between old and new buildings, as well as making it more difficult to visually interpret the architectural evolution of the district.
- Drawing upon elements of a traditional style in a manner that will convey a new building as being of its own time while maintaining a sense of compatibility with the historic context, however, is encouraged.

M24. Contemporary interpretations of traditional details are encouraged.

- New designs for window moldings and door surrounds, for example, can provide visual interest while helping to convey the fact that the building is new. Contemporary details for porch railings and columns are other examples.

M25. Windows should appear similar in character to those of historic buildings in the area.

- Windows on primary facades should be similar in size and shape to those seen traditionally.

M26. Windows with vertical emphasis are encouraged on primary facades.

- A general rule is that the height of the window should be twice the dimension of the width in most residential contexts.

M27. Frame windows in materials that appear similar in scale, proportion and character to those used traditionally in the neighborhood.

- Double-hung windows with traditional depth and trim are preferred.
- However, other materials may be considered if the appearance is similar to that of the historically significant wood window in dimension, profile and finish.
- Windows should be trimmed in wood. This trim must have a dimension similar to that used historically.

M28. Windows should be simple in shape.

Staff finds the proposal to be generally consistent with these standards.

M32. In general, garages should be unobtrusive and not compete visually with the house.

- When the garage must be attached, the percentage of building front allocated to it should be minimized.

M33. Locating a garage such that its visual impacts will be minimized is encouraged.

- Provide access to parking from an alley.

Staff finds the proposal to be generally consistent with these standards.

Mansion Area Master Plan, Planning & Design Goals

1. To ... promote new infill housing development ...
3. To create an improved image and stronger sense of identity
4. To continue to develop a more family-friendly environment for residents and visitors alike
5. To establish new and to better define existing gateways into the neighborhood

Mansion Area Master Plan, Urban Design Goals

1. To preserve the character of the Mansion Area neighborhood ...
3. To establish a sense of visual continuity within the Mansion Area neighborhood

Staff finds the proposal to be consistent with these goals.

Review Standards for Variances:

Capitol Zoning District Commission Rule, Section 2-105. C. 3.

The Commission may issue a Variance to grant relief from the literal provisions of the General Standards when it is demonstrated to the Commission's satisfaction that:

- a. The proposal will be otherwise consistent with the goals of the Master Plan; and

Staff finds the proposal to be consistent with this requirement. See the goals listed above.

- b. The proposal will afford the least intrusive solution possible; and

Staff finds the proposal to be consistent with this requirement. The proposed structure would not serve to expand the footprint of the existing site feature, only to reuse it.

- c. (ii) the preservation of a historic or archeological resource will result in an extreme hardship if the literal requirements of the General Standards are applied, resulting in the deprivation of any reasonable use of the property.

Staff finds the existing site feature is a historic or archeological resource, having been installed in the District's period of significance and having largely maintained its original appearance and configuration. Staff further finds that applying the setback requirements for new construction found in the General Standards, while preserving this resource, would result in an all but unbuildable and unusable lot.

Neighborhood Reaction: One neighboring property owner spoke in favor of the application at the MAAC meeting.

Design Review Committee Recommendation: The Committee voted unanimously (9-0) to recommend approval as submitted. Committee members encouraged the applicant to draw further inspiration from the original blueprints, and to incorporate additional details and elements of the Spanish Revival style. Members also asked the applicant about the site's stormwater drainage, fire resistance on the west façade, and to what extent the existing walls will be reused.

Mansion Area Advisory Committee Recommendation: The MAAC voted 13-0 to recommend approval as submitted. (One member recused from the vote, citing an ongoing business relationship with the applicant.) Committee members praised the project as a bold reuse of the site.

Proposed Findings of Fact: Based on materials submitted by the applicant, historic district surveys, county records, Commission records, historic maps, and on visits to the property, staff finds that:

- 1) The site feature, consisting of masonry walls on a concrete foundation, at 305 West Thirteenth Street represents a construction project begun prior to 1940, during the District's period of significance, but never completed;
- 2) The site feature has no floor, windows, doors, or roof;
- 3) The site feature is built to the property line on its north, east and west sides;
- 4) The parcel is 72' wide by 100' deep, an unusual lot configuration in the Mansion Area;
- 5) The property has not been put to any specific or official use since the site feature was constructed; and
- 6) The application proposes to construct a new single family residence by re-using the existing masonry walls and foundation present on the property. The proposed one-story house design:
 - a) draws inspiration from the Spanish Revival style; and
 - b) features brick and stucco walls, a stucco foundation, a sloped roof of composition shingles, simulated divided light windows made of a wood-composite material, an attached rear garage, a small recessed front porch, an interior courtyard and a 34½' tower feature at one corner.

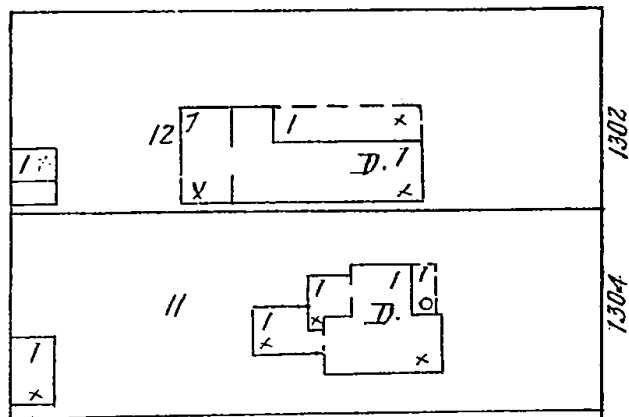
Proposed Conclusions of Law: Based on the above findings; staff concludes that:

- 1) The property in its current state represents neither a nonconforming structure nor land use;
- 2) The existing masonry site feature is a historic resource;
- 3) The proposed house is substantially consistent with all the applicable review criteria (including the zoning requirements; design standards for new construction, and Mansion Area goals), save for those items dealing with front and side yard setbacks;
- 4) Applying the requirements for front and side yard setback, while still preserving the historic site feature, would result in an unbuildable lot, from which the owner would be unlikely to derive a reasonable use; and
- 5) This application substantially meets the requirements for a Certificate of Appropriateness and a Variance.

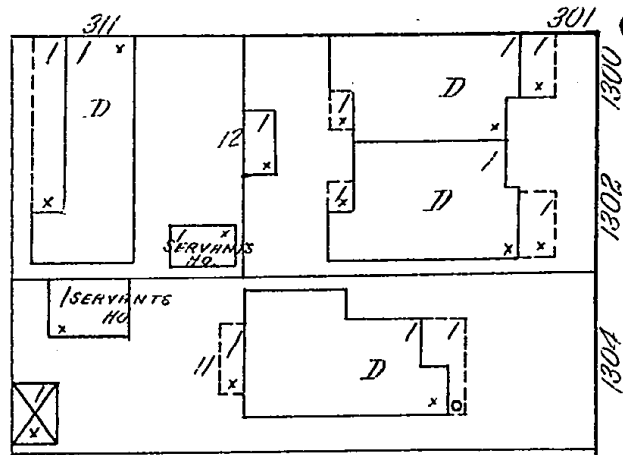
Staff Recommendation: Based on the above findings and conclusion, staff recommends **approval** with the following conditions:

- 1) That all State and City Codes be followed at all times; and
- 2) That the property be maintained in a neat and safe condition at all times.

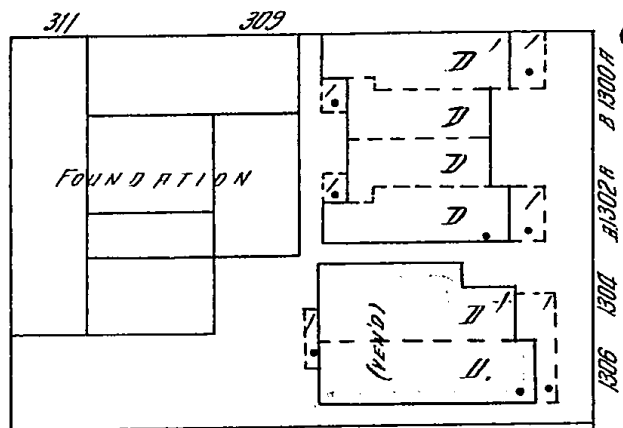
Details from Sanborn Fire Insurance Maps



1897 – These two Center Street lots were originally developed with small, likely working-class houses.



1913 – The two earlier houses facing Center Street have been replaced by the larger structures seen today. A third large house faces 13th Street, in roughly the same area as the “Ruin”.

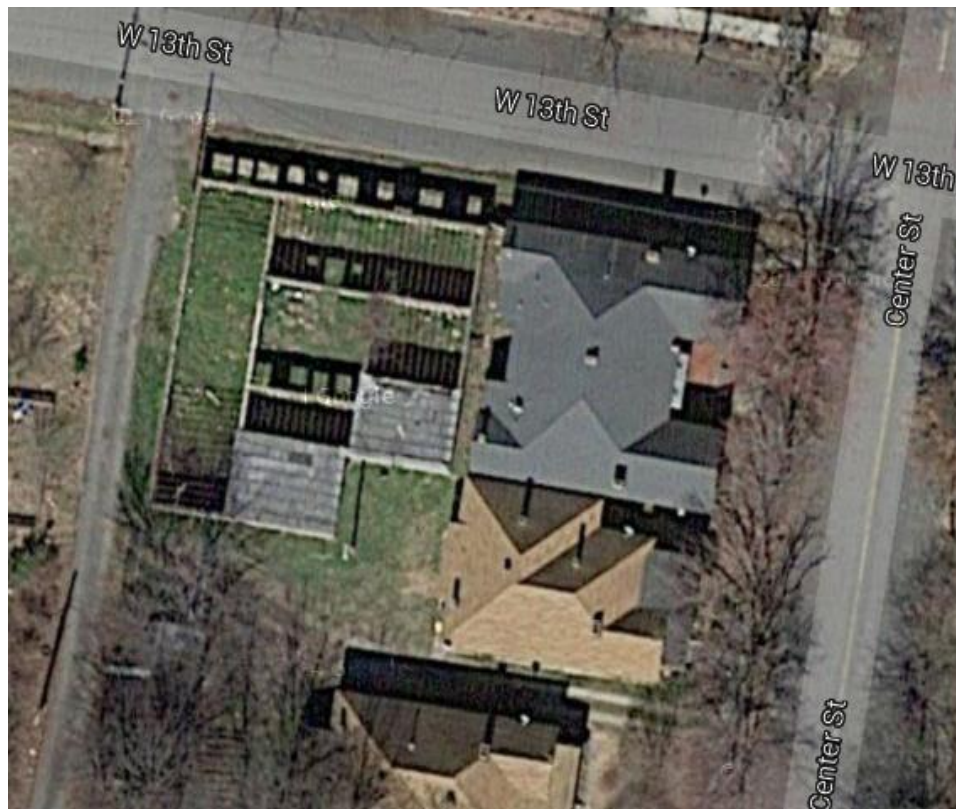


1939-50 – A foundation – now known as the “Ruin” – is present on the west (left) half of the lot.

1998 photos of property



Aerial photo of property



This 2015 Google Maps image shows the configuration of the “Ruins” is unchanged since construction began in the 1930s. (See the 1939-50 Sanborn map section.)

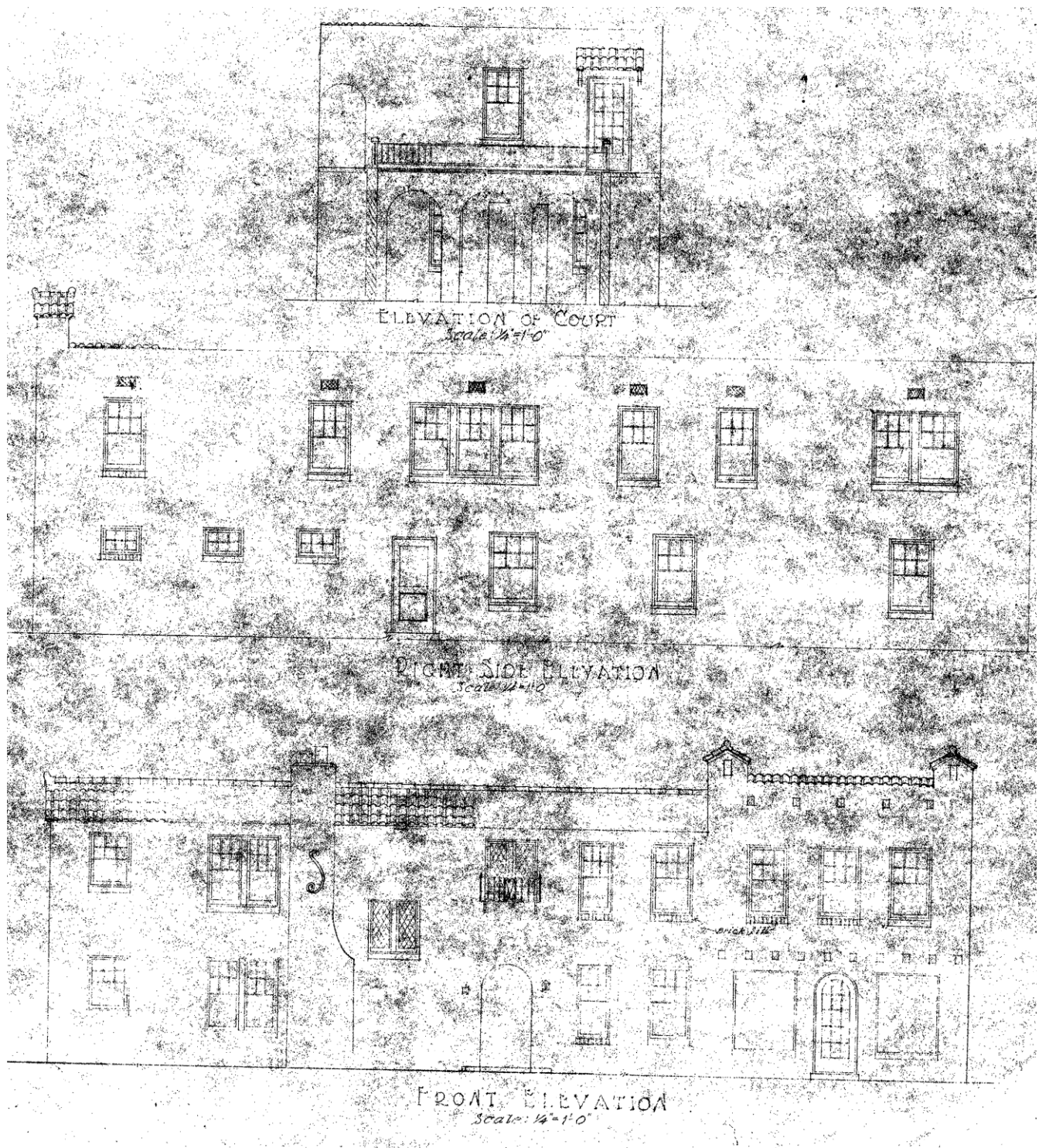
2015 photos of property



2015 photos of property (cont.)

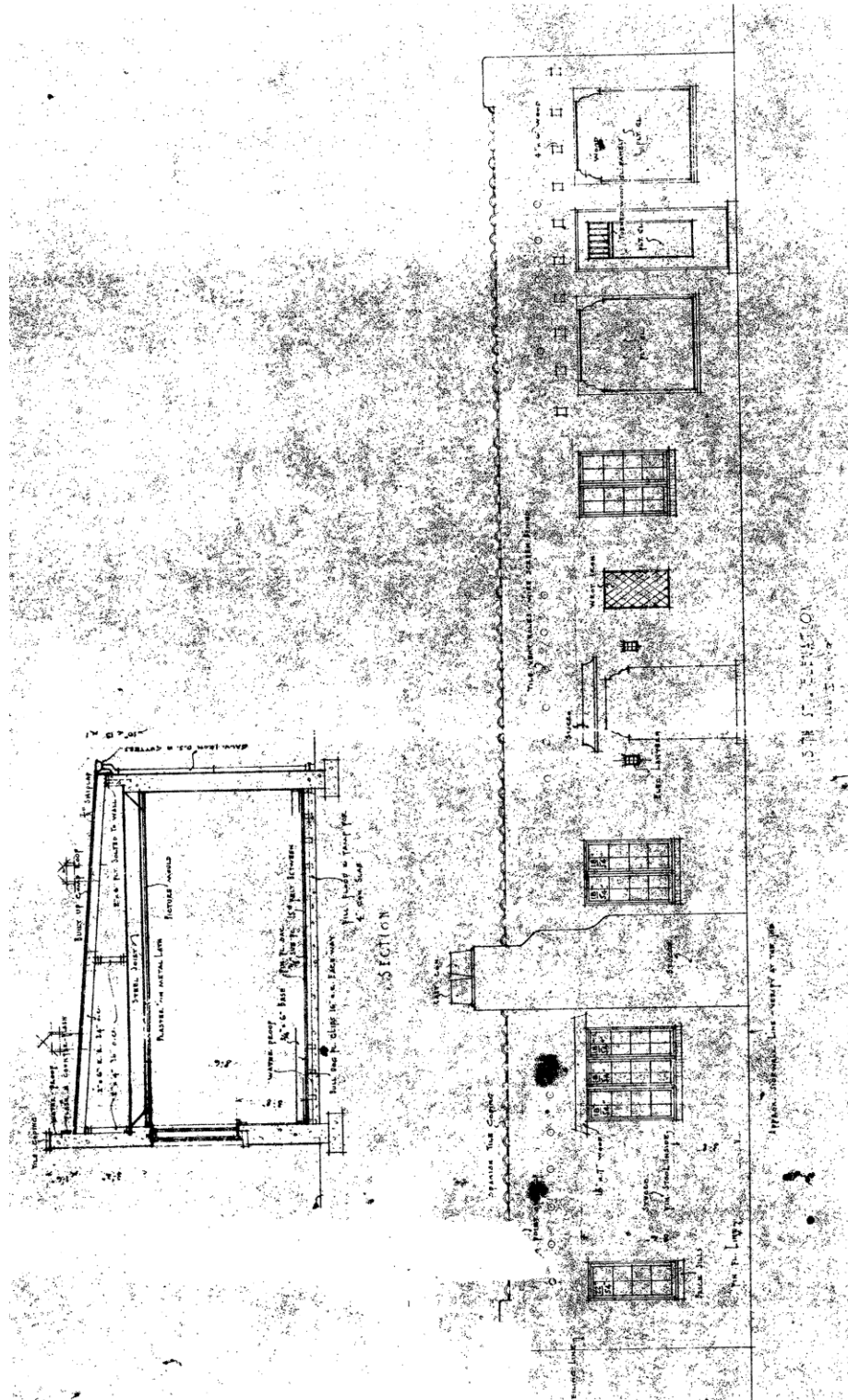


Archive Blueprints



Two sets of blueprints were believed to have been drafted in the 1930s for the property at 305 W. 13th. Both sets of drawings call for a tile roof and other Mediterranean / Spanish Revival details. This drawing is for a two-story building, possibly apartments. Note the courtyard, arched entries, and six-over-one windows.

Archive Blueprints (cont.)



This drawing calls for a one-story building at 305 W. 13th. Like the two-story blueprint above, this plan includes a tile roof. But unlike the arched entry-ways on the other plan, this version includes several beveled openings. Note also the use of eight-paned windows instead of six. It's unclear which of these designs the original developer intended to build, but the current owner drew inspiration for this application from both sets of blueprints.



CAPITOL ZONING DISTRICT COMMISSION

APPLICATION FORM

PROPERTY
ADDRESS

305 W. 13th Street

PROPERTY
OWNER

Todd RANEY

PERSON FILING
APPLICATION

Todd RANEY

if other than owner

APPLICANT PHONE
AND EMAIL



APPLICANT SIGNATURE
AND DATE

T. J. B. 3/20/17

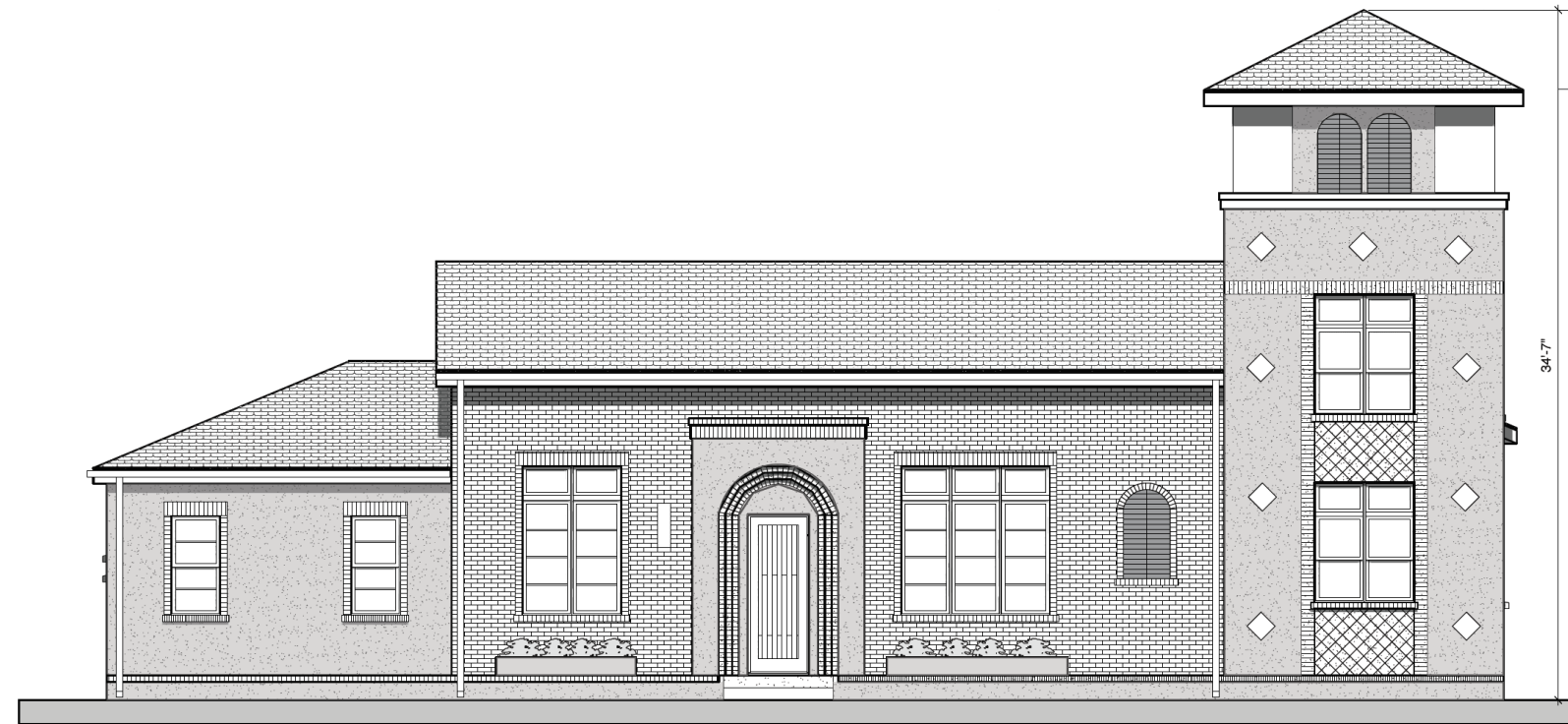
Signature certifies that applicant is authorized to represent this property, and that all information presented in this application, as well as in any supporting materials, is true and correct to the best of the signatory's knowledge.

DESCRIPTION OF
PROPOSED WORK
AND / OR USE

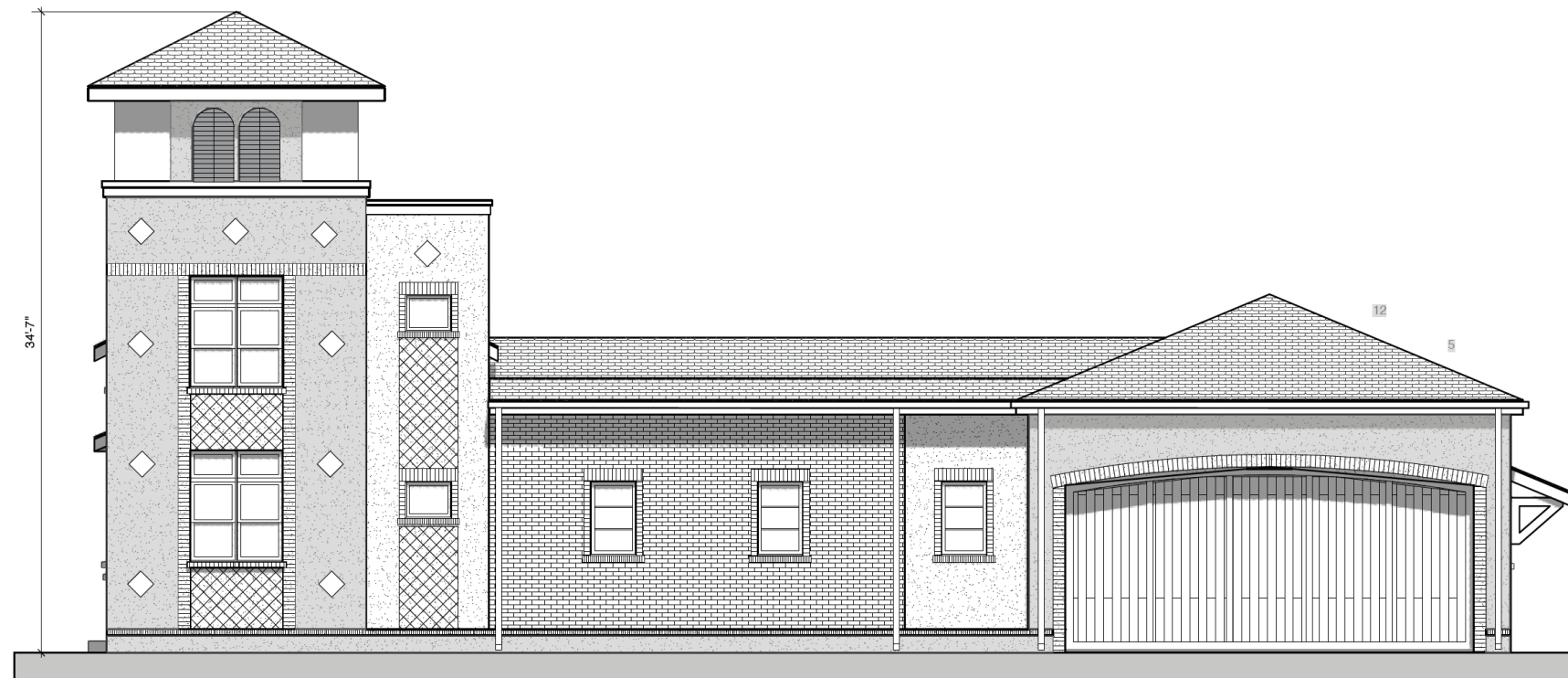
Restoration / Completion of Historic
Structure

Residential Single family Home

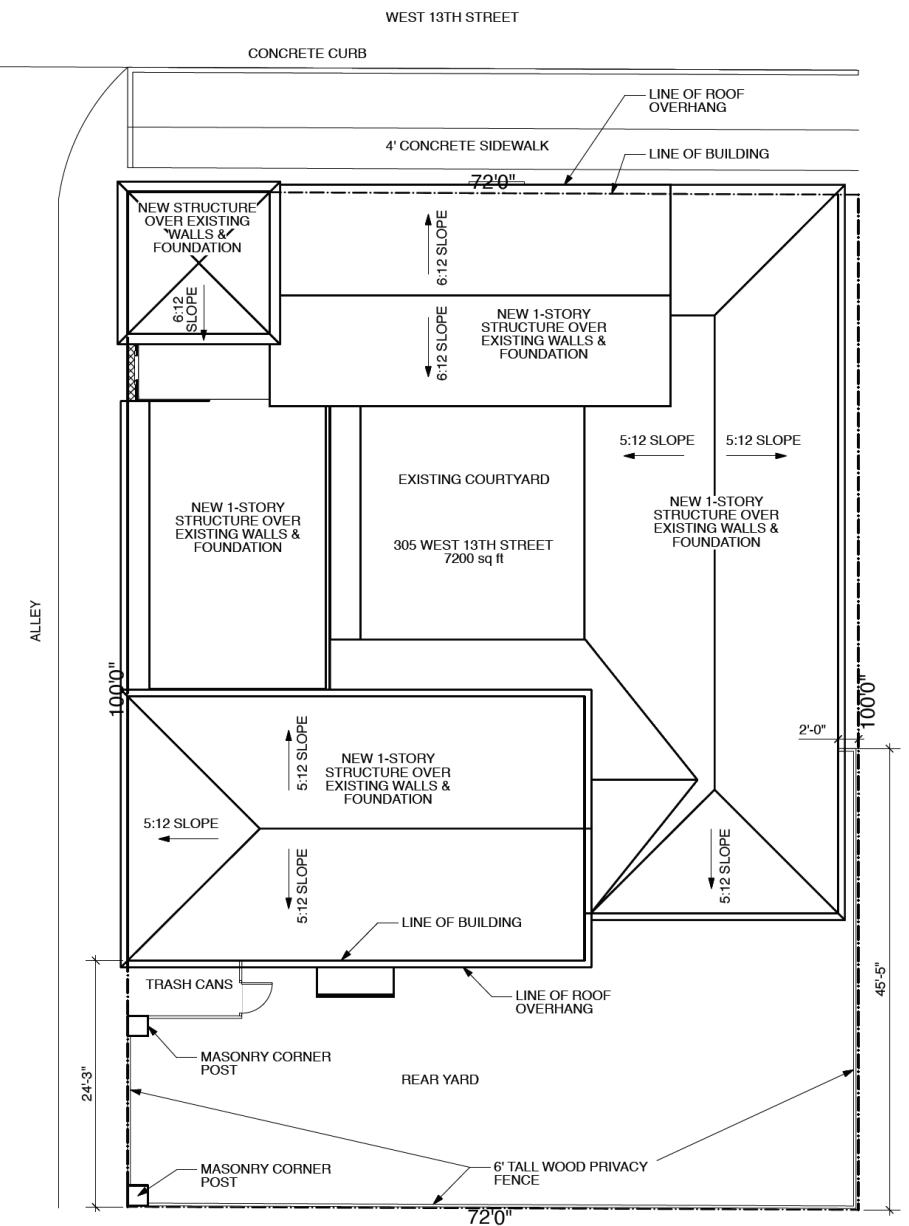
Attach as many pages or supporting materials as necessary. The Commission and its staff cannot make a determination on your application without a complete description of the property's proposed appearance, materials, and/or function. An application is not complete until all applicable supporting materials have been submitted to staff. Electronic submittals (email, scanned documents, PDFs, digital images, etc) are welcome.



1 13TH STREET (NORTH) ELEVATION
Scale: 1/4" = 1'-0"



2 ALLEY (WEST) ELEVATION
Scale: 1/4" = 1'-0"



1 SITE PLAN
Scale: 1/8" = 1'-0"

SITE PLAN REFERENCES SURVEY FROM HARBOR DATED APRIL 13, 2016



herron horton architects

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Phone 501.975.0052
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RANEY RESIDENCE

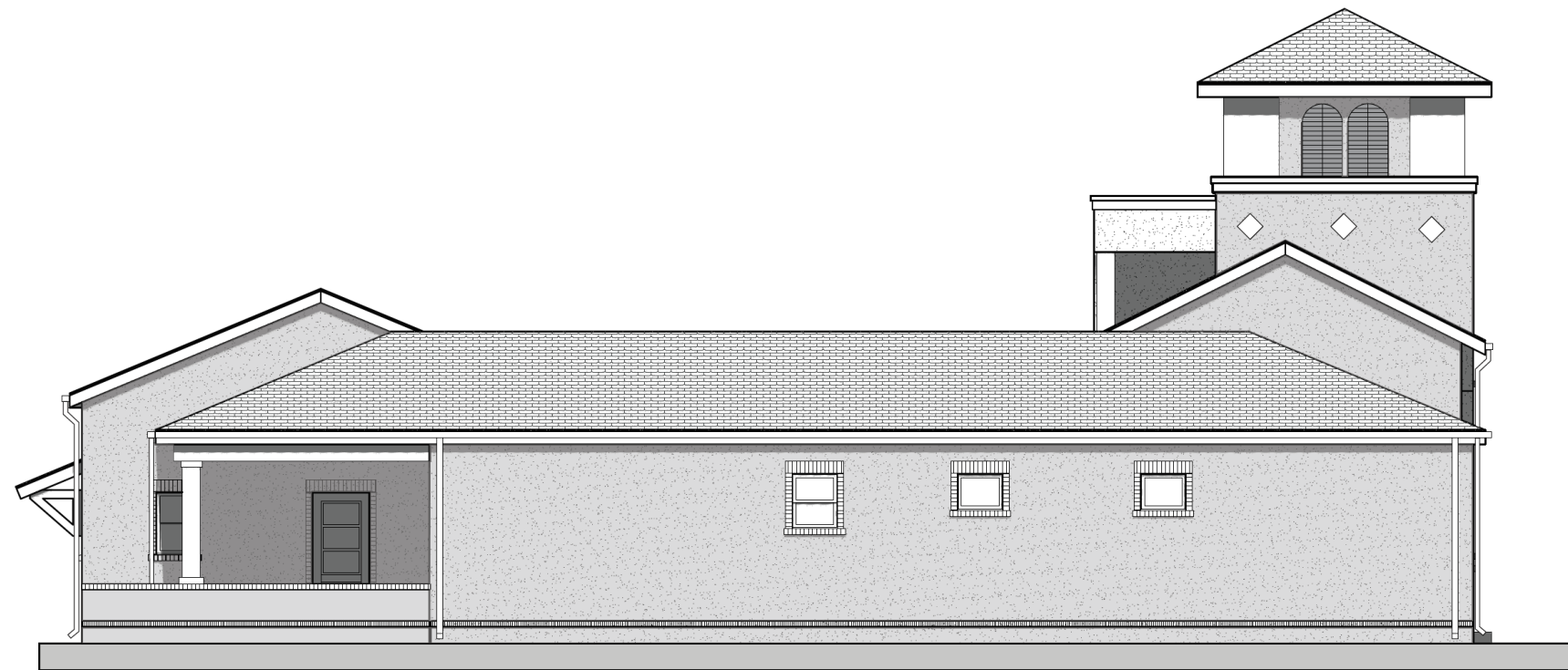
13th Street
Little Rock, AR 72202

Issue Date	Revision Date
03/20/2017	00/00/0000

A 1.0



1 REAR (SOUTH) ELEVATION
Scale: 1/4" = 1'-0"



2 EAST ELEVATION
Scale: 1/4" = 1'-0"



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